

## **2009 DRAFTING REQUEST**

### **Bill**

Received: **01/26/2009**

Received By: **rchampag**

Wanted: **Soon**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Frederick**

This file may be shown to any legislator: **NO**

Drafter: **rchampag**

May Contact:

Addl. Drafters:

Subject: **State Govt - miscellaneous**  
**Employ Pub - miscellaneous**

Extra Copies:

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to:

---

### **Pre Topic:**

DOA:.....Frederick, BB0545 -

---

### **Topic:**

Elimination of vacant positions in state government

---

### **Instructions:**

See attached.

---

### **Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?				_____			State
/1	rchampag 01/26/2009	kfollett 01/26/2009	rschluet 01/26/2009	_____	mbarman 01/26/2009		State
/2	rchampag 01/26/2009	wjackson 01/26/2009	rschluet 01/27/2009	_____	cduerst 01/27/2009		State
/3	rchampag 01/30/2009	kfollett 01/30/2009	jfrantze 01/30/2009	_____	cduerst 01/30/2009		State

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
--------------	----------------	-----------------	--------------	----------------	------------------	-----------------	-----------------

/4	rchampag 02/11/2009	kfollett 02/11/2009	mduchek 02/11/2009	_____	cduerst 02/11/2009		
----	------------------------	------------------------	-----------------------	-------	-----------------------	--	--

FE Sent For:

**<END>**

## **2009 DRAFTING REQUEST**

### **Bill**

Received: **01/26/2009**

Received By: **rchampag**

Wanted: **Soon**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Frederick**

This file may be shown to any legislator: **NO**

Drafter: **rchampag**

May Contact:

Addl. Drafters:

Subject: **State Govt - miscellaneous**  
**Employ Pub - miscellaneous**

Extra Copies:

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to:

---

### **Pre Topic:**

DOA:.....Frederick, BB0545 -

---

### **Topic:**

Elimination of vacant positions in state government

---

### **Instructions:**

See attached.

---

### **Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?				_____			State
/1	rchampag 01/26/2009	kfollett 01/26/2009	rschluet 01/26/2009	_____	mbarman 01/26/2009		State
/2	rchampag 01/26/2009	wjackson 01/26/2009	rschluet 01/27/2009	_____	cduerst 01/27/2009		State
/3	rchampag 01/30/2009	kfollett 01/30/2009	jfrantze 01/30/2009	_____	cduerst 01/30/2009		

14/15/11  
2/11

ND  
2/14/11  
PH

Vers.      Drafted      Reviewed      Typed      Proofed      Submitted      Jacketed      Required

FE Sent For:

**<END>**

## 2009 DRAFTING REQUEST

### Bill

Received: **01/26/2009**

Received By: **rchampag**

Wanted: **Soon**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Frederick**

This file may be shown to any legislator: **NO**

Drafter: **rchampag**

May Contact:

Addl. Drafters:

Subject: **State Govt - miscellaneous  
Employ Pub - miscellaneous**

Extra Copies:

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to:

---

### Pre Topic:

DOA:.....Frederick -

---

### Topic:

Elimination of vacant positions in state government

---

### Instructions:

See attached.

---

### Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?				_____			State
/1	rchampag 01/26/2009	kfollett 01/26/2009	rschluet 01/26/2009	_____	mbarman 01/26/2009		State
/2	rchampag 01/26/2009	wjackson 01/26/2009	rschluet 01/27/2009	_____	cduerst 01/27/2009		

FE Sent For:

13 klf  
1/30  
76  
7/30  
J/mel  
1/30

<END>

**2009 DRAFTING REQUEST**

**Bill**

Received: **01/26/2009**

Received By: **rchampag**

Wanted: **Soon**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Frederick**

This file may be shown to any legislator: **NO**

Drafter: **rchampag**

May Contact:

Addl. Drafters:

Subject: **State Govt - miscellaneous  
Employ Pub - miscellaneous**

Extra Copies:

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to:

**Pre Topic:**

DOA:.....Frederick -

**Topic:**

Elimination of vacant positions in state government

**Instructions:**

See attached.

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							State
/1	rchampag 01/26/2009	kfollett 01/26/2009	rschluet 01/26/2009		mbarman 01/26/2009		

FE Sent For:

*1/2 W/L 1/26*

*[Handwritten signature]*

**<END>**

## 2009 DRAFTING REQUEST

### Bill

Received: 01/26/2009

Received By: **rchampag**

Wanted: **Soon**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Frederick**

This file may be shown to any legislator: **NO**

Drafter: **rchampag**

May Contact:

Addl. Drafters:

Subject: **State Govt - miscellaneous**  
**Employ Pub - miscellaneous**

Extra Copies:

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to:

---

**Pre Topic:**

DOA:.....Frederick -

---

**Topic:**

Elimination of vacant positions in state government

---

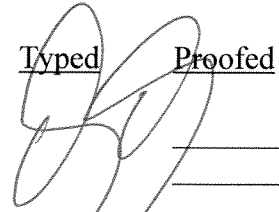
**Instructions:**

See attached.

---

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
--------------	----------------	-----------------	--------------	----------------	------------------	-----------------	-----------------

/?	rchampag	1/15/09 1/26/09					
----	----------	--------------------	---	--	--	--	--

FE Sent For:

<END>



## **2009-11 Budget Bill Statutory Language Drafting Request**

- Topic: Elimination of vacant positions
- Tracking Code:
- SBO team: State Operations
- SBO analyst: Caitlin Morgan Frederick
  - Phone: 6-8777
  - Email: caitlin.frederick@wisconsin.gov
- Agency acronym: DOA
- Agency number: 505
- Priority (Low, Medium, High): High

### **Intent:**

- Modify current law to permit the Secretary of Administration to eliminate authorized positions which have been vacant for more than 12 months, not to include positions in the legislature, courts, and the University of Wisconsin.
- Effective date is date bill becomes law.

G:\BUD\FORMS\BUDGET\statlang LRB drafting request.doc

## 2009-11 Budget Bill Statutory Language Drafting Request

- Topic: Elimination of vacant positions
- Tracking Code: BB0545
- SBO team: State Operations
- SBO analyst: Caitlin Morgan Frederick
  - Phone: 6-8777
  - Email: caitlin.frederick@wisconsin.gov
- Agency acronym: DOA
- Agency number: 505
- Priority (Low, Medium, High): High

### Intent:

- Modify current law to permit the Secretary of Administration to eliminate authorized positions which have been vacant for more than 12 months, not to include positions in the legislature, courts, and the University of Wisconsin.
- Effective date is date bill becomes law.



State of Wisconsin  
2009 - 2010 LEGISLATURE

LRB-1794/1

RAC:...

DOA:.....Frederick - Elimination of vacant positions in state government

**FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION**

*do not gen*

1 **AN ACT ...; relating to:** the budget.

---

*Analysis by the Legislative Reference Bureau*

*state*

**STATE GOVERNMENT**

**STATE EMPLOYMENT**

This bill authorizes the governor to abolish any FTE position or portion thereof in any executive branch state agency if that position has been vacant for more than 12 months. Under the bill, "executive branch state agency" is defined to mean any office, department, or independent agency in the executive branch of state government, but does not include the Board of Regents of the University of Wisconsin System.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

---

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

2 **SECTION 1.** 16.505 (1) (intro.) of the statutes is amended to read:

16.505 (1) (intro.) Except as provided in subs. (2), (2g), (2m), (2n), and (2p), no position, as defined in s. 230.03 (11), regardless of funding source or type, may be created or abolished unless authorized by one of the following:

**History:** 1977 c. 196, 418; 1979 c. 34; 1981 c. 20; 1983 a. 27; 1987 a. 27; 1989 a. 31, 127; 1991 a. 39, 269; 1993 a. 16; 1995 a. 27; 1997 a. 27; 2001 a. 16, 109; 2005 a. 25.

**SECTION 2.** 16.505 (2g) of the statutes is created to read:

16.505 (2g) The governor may abolish any full-time equivalent position or portion thereof in any executive branch <sup>of the state</sup> agency if that position has been vacant for more than 12 months. In this subsection, “executive branch state agency” means any office, department, or independent agency in the executive branch of state government, but does not include the Board of Regents of the University of Wisconsin System.

**(END)**

**Champagne, Rick**

---

**From:** Frederick, Caitlin - DOA [caitlin.frederick@wisconsin.gov]  
**Sent:** Monday, January 26, 2009 3:25 PM  
**To:** Champagne, Rick  
**Subject:** RE: LRB Draft: 09-1794/1 Elimination of vacant positions in state government

For the sake of speed go ahead and "refraft" the Secretary part. I don't know if the \$\$ are at issue; it was something I brought up.

---

**From:** Champagne, Rick [mailto:Rick.Champagne@legis.wisconsin.gov]  
**Sent:** Monday, January 26, 2009 3:01 PM  
**To:** Frederick, Caitlin - DOA  
**Subject:** RE: LRB Draft: 09-1794/1 Elimination of vacant positions in state government

You mean other than my inability to read your instructions! Sorry about that. If the associated \$\$ are also going to be part of the power to abolish vacant positions on an ongoing basis then I will need to put that in the statutes as well. Should I go ahead and refract to give DOA secretary this power and not gov or should I wait to hear from you on the \$\$ issue?

---

**From:** Frederick, Caitlin - DOA [mailto:caitlin.frederick@wisconsin.gov]  
**Sent:** Monday, January 26, 2009 2:58 PM  
**To:** Champagne, Rick  
**Subject:** FW: LRB Draft: 09-1794/1 Elimination of vacant positions in state government

Is there a reason it's drafted as Governor's power to eliminate when the intent was for the secretary to be able to do it?

Also, there may be more on this relating to the associated \$\$ of the position (this could be a non-stat provision).

---

**From:** Schlueter, Ron [mailto:Ron.Schlueter@legis.wisconsin.gov]  
**Sent:** Monday, January 26, 2009 2:28 PM  
**To:** Frederick, Caitlin - DOA  
**Cc:** Thornton, Scott - DOA; Hanaman, Cathlene - LEGIS; Beadles, Kathleen - DOA  
**Subject:** LRB Draft: 09-1794/1 Elimination of vacant positions in state government

*Following is the PDF version of draft 09-1794/1.*

**Champagne, Rick**

---

**From:** Frederick, Caitlin - DOA [caitlin.frederick@wisconsin.gov]  
**Sent:** Monday, January 26, 2009 3:37 PM  
**To:** Champagne, Rick  
**Subject:** RE: LRB Draft: 09-1794/1 Elimination of vacant positions in state government

Spoke too soon.

1. Do not exclude UW.
2. Lapse expenditure authority associated with the eliminated positions (not non-stat).

---

**From:** Champagne, Rick [mailto:Rick.Champagne@legis.wisconsin.gov]  
**Sent:** Monday, January 26, 2009 3:01 PM  
**To:** Frederick, Caitlin - DOA  
**Subject:** RE: LRB Draft: 09-1794/1 Elimination of vacant positions in state government

You mean other than my inability to read your instructions! Sorry about that. If the associated \$\$ are also going to be part of the power to abolish vacant positions on an ongoing basis then I will need to put that in the statutes as well. Should I go ahead and reframe to give DOA secretary this power and not gov or should I wait to hear from you on the \$\$ issue?

---

**From:** Frederick, Caitlin - DOA [mailto:caitlin.frederick@wisconsin.gov]  
**Sent:** Monday, January 26, 2009 2:58 PM  
**To:** Champagne, Rick  
**Subject:** FW: LRB Draft: 09-1794/1 Elimination of vacant positions in state government

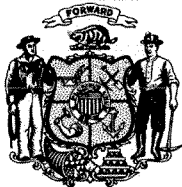
Is there a reason it's drafted as Governor's power to eliminate when the intent was for the secretary to be able to do it?

Also, there may be more on this relating to the associated \$\$ of the position (this could be a non-stat provision).

---

**From:** Schlueter, Ron [mailto:Ron.Schlueter@legis.wisconsin.gov]  
**Sent:** Monday, January 26, 2009 2:28 PM  
**To:** Frederick, Caitlin - DOA  
**Cc:** Thornton, Scott - DOA; Hanaman, Cathlene - LEGIS; Beadles, Kathleen - DOA  
**Subject:** LRB Draft: 09-1794/1 Elimination of vacant positions in state government

*Following is the PDF version of draft 09-1794/1.*



State of Wisconsin  
2009 - 2010 LEGISLATURE

LRB-1794/2

RAC:kjf:rs

stays  
+ WJ

RMR

DOA:.....Frederick - Elimination of vacant positions in state government

**FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION**

Do not send

1 AN ACT ...; relating to: the budget.

*Analysis by the Legislative Reference Bureau*

**STATE GOVERNMENT**

**STATE EMPLOYMENT**

Insert Analysis  
This bill authorizes the governor to abolish any FTE position or portion thereof in any executive branch state agency if that position has been vacant for more than 12 months. Under the bill, "executive branch state agency" is defined to mean any office, department, or independent agency in the executive branch of state government, but does not include the Board of Regents of the University of Wisconsin System.

For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

2 **SECTION 1.** 16.505 (1) (intro.) of the statutes is amended to read:

3 16.505 (1) (intro.) Except as provided in subs. (2), (2g), (2m), (2n), and (2p), no  
4 position, as defined in s. 230.03 (11), regardless of funding source or type, may be  
5 created or abolished unless authorized by one of the following:



1        **SECTION 2.** 16.505 (2g) of the statutes is created to read:

2        16.505 (2g) The governor may abolish any full-time equivalent position or  
3        portion thereof in any executive branch state agency if that position has been vacant  
4        for more than 12 months. In this subsection, "executive branch state agency" means  
5        any office, department, or independent agency in the executive branch of state  
6        government, but does not include the Board of Regents of the University of Wisconsin  
7        System.

8

(END)

Insert  
2-8

**2009-2010 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-1794/2ins  
RAC:kjfrs

*Full-time equivalent*

**Insert Analysis:**

This bill authorizes the secretary of administration to abolish any ~~FTE~~ position or portion thereof in any executive branch state agency if that position has been vacant for more than 12 months. Under the bill, "executive branch state agency" is defined to mean any office, department, or independent agency in the executive branch of state government. The bill also requires the secretary to reduce authorized expenditure levels for those executive branch state agencies by the amounts for salary and fringe benefits for the vacant positions.

**Insert 2-8:**

16.505 (2g) (a) In this subsection, "executive branch state agency" means any office, department, or independent agency in the executive branch of state government.

(b) The secretary may abolish any full-time equivalent position or portion thereof in any executive branch state agency if that position has been vacant for more than 12 months.

(c) Notwithstanding s. 20.001 (3) (a) to (c), the secretary shall lapse from each sum certain appropriation made to an executive branch state agency from any revenue source except program revenue, federal revenue, or segregated revenue derived from specific program receipts, or shall reestimate to subtract from the expenditure estimate for each appropriation other than a sum certain appropriation made to an executive branch state agency from any revenue source, the amount expended from the appropriations by that executive branch state agency for annual salary and fringe benefit costs for the vacant positions abolished by the secretary under par. (b).



RMP

DOA:.....Frederick - Elimination of vacant positions in state government

**FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION**

do not gen.

1 **AN ACT ...; relating to:** the budget.

---

*Analysis by the Legislative Reference Bureau*

**STATE GOVERNMENT**

**STATE EMPLOYMENT**

This bill authorizes the secretary of administration to abolish any full-time equivalent position or portion thereof in any executive branch state agency if that position has been vacant for more than 12 months. Under the bill, "executive branch state agency" is defined to mean any office, department, or independent agency in the executive branch of state government. The bill also requires the secretary to reduce authorized expenditure levels for those executive branch state agencies by the amounts for salary and fringe benefits for the vacant positions.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

---

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

2 **SECTION 1.** 16.505 (1) (intro.) of the statutes is amended to read:

1 16.505 (1) (intro.) Except as provided in subs. (2), (2g), (2m), (2n), and (2p), no  
2 position, as defined in s. 230.03 (11), regardless of funding source or type, may be  
3 created or abolished unless authorized by one of the following:

4 SECTION 2. 16.505 (2g) of the statutes is created to read:

5 16.505 (2g) (a) In this subsection, "executive branch state agency" means any  
6 office, department, or independent agency in the executive branch of state  
7 government.

8 (b) The secretary may abolish any full-time equivalent position or portion  
9 thereof in any executive branch state agency if that position has been vacant for more  
10 than 12 months.

11 (c) Notwithstanding s. 20.001 (3) (a) to (c), the secretary shall lapse from each  
12 sum certain appropriation made to an executive branch state agency from any  
13 revenue source except program revenue, federal revenue, or segregated revenue  
14 derived from specific program receipts, or shall reestimate to subtract from the  
15 expenditure estimate for each appropriation other than a sum certain appropriation  
16 made to an executive branch state agency from any revenue source, the amount  
17 expended from the appropriations by that executive branch state agency for annual  
18 salary and fringe benefit costs for the vacant positions abolished by the secretary  
19 under par. (b).

20 (END)

D-Note

\*\*\* Note: This is reconciled s. 16.505  
(1) (intro.). This section has been affected  
by the following LRB #s: LRB-0782, LRB-0863,  
and LRB-1794.

and s. 16.004 (15) (c)

## STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

D-Note

Date

LRB-1794/13<sup>dn</sup>  
RAC: [signature]

This draft reconciles LRB-0782<sup>v</sup>/2,  
LRB-0863<sup>v</sup>/6, and LRB-1794<sup>v</sup>/2, with  
respect to the treatment of s. 16.505<sup>v</sup>(1)  
(intro.). All of these drafts should  
continue to appear in the compiled bill.

RAC

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-1794/3dn  
RAC:kjf:jf

January 30, 2009

This draft reconciles LRB-0782/2, LRB-0863/6, and LRB-1794/2, with respect to the treatment of s. 16.505 (1) (intro.). All of these drafts should continue to appear in the compiled bill.

Rick A. Champagne  
Senior Legislative Attorney  
Phone: (608) 266-9930  
E-mail: [rick.champagne@legis.wisconsin.gov](mailto:rick.champagne@legis.wisconsin.gov)

D-Note

2009 - 2010 LEGISLATURE

LRB-1794/84  
RAC:kjf&wlj:jf

RMR

DOA:.....Frederick, BB0545 - Elimination of vacant positions in state government

**FOR 2009-11 BUDGET — NOT READY FOR INTRODUCTION**

do not gen

1 AN ACT ...; relating to: the budget.

---

*Analysis by the Legislative Reference Bureau*

**STATE GOVERNMENT**

**STATE EMPLOYMENT**

This bill authorizes the secretary of administration to abolish any full-time equivalent position or portion thereof in any executive branch state agency if that position has been vacant for more than 12 months. Under the bill, "executive branch state agency" is defined to mean any office, department, or independent agency in the executive branch of state government. The bill also requires the secretary to reduce authorized expenditure levels for those executive branch state agencies by the amounts for salary and fringe benefits for the vacant positions.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

---

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

2

SECTION 1. 16.505 (1) (intro.) of the statutes is amended to read:

Insert 1-2

16.505 **(1)** (intro.) Except as provided in subs. (2), ~~(2e), (2g),~~ (2m), (2n), and (2p) and s. 16.004 (15) (c), no position, as defined in s. 230.03 (11), regardless of funding source or type, may be created or abolished unless authorized by one of the following:

\*\*\*\*NOTE: This is reconciled s. 16.505 (1) (intro.). This SECTION has been affected by the following LRB numbers: LRB-0782, LRB-0863, and LRB-1794.

**SECTION 2.** 16.505 (2g) of the statutes is created to read:

16.505 **(2g)** (a) In this subsection, “executive branch state agency” means any office, department, or independent agency in the executive branch of state government.

(b) The secretary may abolish any full-time equivalent position or portion thereof in any executive branch state agency if that position has been vacant for more than 12 months.

(c) Notwithstanding s. 20.001 (3) (a) to (c), the secretary shall lapse from each sum certain appropriation made to an executive branch state agency from any revenue source except program revenue, federal revenue, or segregated revenue derived from specific program receipts, or shall reestimate to subtract from the expenditure estimate for each appropriation other than a sum certain appropriation made to an executive branch state agency from any revenue source, the amount expended from the appropriations by that executive branch state agency for annual salary and fringe benefit costs for the vacant positions abolished by the secretary under par. (b).

(END)

Date \_\_\_\_\_

LRB-1794/4dm  
RAC: kg

D-No fe

I redrafted this to include a cross-  
reference in s. 16.50(3)(b). No other changes.

RAC



1-2

Section #. 16.50 (3) (b) of the statutes is amended to read:

16.50 (3) (b) No change in the number of full-time equivalent positions authorized through the biennial budget process or other legislative act may be made without the approval of the joint committee on finance, except for position changes made by the governor under s. 16.505 (1) (c) or (2), by the University of Wisconsin Hospitals and Clinics Board under s. 16.505 (2n), or by the board of regents of the University of Wisconsin System under s. 16.505 (2m) or (2p).

History: 1971 c. 270; 1973 c. 333; 1975 c. 39; 1977 c. 29, 196, 418; 1979 c. 32, 34; 1981 c. 20, 27, 30, 314; 1983 a. 27 ss. 70, 71a, 2202 (42); 1985 a. 332 s. 251 (6); 1987 a. 4, 27; 1989 a. 31, 336; 1991 a. 316; 1993 a. 16; 1995 a. 27; 1997 a. 27; 1999 a. 9; 2001 a. 16; 2003 a. 33 ss. 173, 174, 9160; 2005 a. 25, 149.

by the secretary of administration  
under s. 16.505 (2g),

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-1794/4dn  
RAC:kjf:md

February 11, 2009

I redrafted this to include a cross-reference in s. 16.50 (3) (b). No other changes.

Rick A. Champagne  
Senior Legislative Attorney  
Phone: (608) 266-9930  
E-mail: [rick.champagne@legis.wisconsin.gov](mailto:rick.champagne@legis.wisconsin.gov)



State of Wisconsin  
2009 - 2010 LEGISLATURE

LRB-1794/4  
RAC:kjf&wlj:md

DOA:.....Frederick, BB0545 - Elimination of vacant positions in state government

**FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION**

1 **AN ACT ...; relating to:** the budget.

---

*Analysis by the Legislative Reference Bureau*

**STATE GOVERNMENT**

**STATE EMPLOYMENT**

This bill authorizes the secretary of administration to abolish any full-time equivalent position or portion thereof in any executive branch state agency if that position has been vacant for more than 12 months. Under the bill, "executive branch state agency" is defined to mean any office, department, or independent agency in the executive branch of state government. The bill also requires the secretary to reduce authorized expenditure levels for those executive branch state agencies by the amounts for salary and fringe benefits for the vacant positions.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

---

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

2 **SECTION 1.** 16.50 (3) (b) of the statutes is amended to read:

3 16.50 (3) (b) No change in the number of full-time equivalent positions  
4 authorized through the biennial budget process or other legislative act may be made

1 without the approval of the joint committee on finance, except for position changes  
2 made by the governor under s. 16.505 (1) (c) or (2), by the secretary of administration  
3 under s. 16.505 (2g), by the University of Wisconsin Hospitals and Clinics Board  
4 under s. 16.505 (2n), or by the board of regents of the University of Wisconsin System  
5 under s. 16.505 (2m) or (2p).

6 **SECTION 2.** 16.505 (1) (intro.) of the statutes is amended to read:

7 16.505 (1) (intro.) Except as provided in subs. (2), (2e), (2g), (2m), (2n), and (2p)  
8 and s. 16.004 (15) (c), no position, as defined in s. 230.03 (11), regardless of funding  
9 source or type, may be created or abolished unless authorized by one of the following:

\*\*\*NOTE: This is reconciled s. 16.505 (1) (intro.). This SECTION has been affected  
by the following LRB numbers: LRB-0782, LRB-0863, and LRB-1794.

10 **SECTION 3.** 16.505 (2g) of the statutes is created to read:

11 16.505 (2g) (a) In this subsection, "executive branch state agency" means any  
12 office, department, or independent agency in the executive branch of state  
13 government.

14 (b) The secretary may abolish any full-time equivalent position or portion  
15 thereof in any executive branch state agency if that position has been vacant for more  
16 than 12 months.

17 (c) Notwithstanding s. 20.001 (3) (a) to (c), the secretary shall lapse from each  
18 sum certain appropriation made to an executive branch state agency from any  
19 revenue source except program revenue, federal revenue, or segregated revenue  
20 derived from specific program receipts, or shall reestimate to subtract from the  
21 expenditure estimate for each appropriation other than a sum certain appropriation  
22 made to an executive branch state agency from any revenue source, the amount  
23 expended from the appropriations by that executive branch state agency for annual

1 salary and fringe benefit costs for the vacant positions abolished by the secretary  
2 under par. (b).

3 (END)